



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

MAIL: 135 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0135

OFFICE: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE

WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: 207-287-4179

FAX: 207-287-6775

STATEMENT OF SOURCES OF INCOME FOR EXECUTIVE EMPLOYEES

For the 2012 Calendar Year: January 1, 2012 - December 31, 2012

Please file this statement with the **Maine Ethics Commission**. Please contact Commission staff at 287-4179 or come to the Commission office at 45 Memorial Circle, Augusta, if you have any questions about this form, your reporting requirements, or how to report specific situations. A glossary is located in the back of this form.

General Instructions

- Complete all sections. If a section is not applicable, check the box marked "None."
- Report only specific sources of income. Dollar amounts do not need to be reported.
- If completing this form by hand, please write legibly.

Name	Job Title
Department	Phone (work)
Mailing Address (work)	E-mail Address (work)

REPORT TYPE (please see below)

Initial	Annual	Update	Final
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Reporting Deadlines

Constitutional Officers and the State Auditor

Newly elected constitutional officers and the state auditor must file the financial disclosure statement within 30 days of election and by April 15 of each year they are in office, unless a report for that year has already been filed.

Appointed Executive Employees

Newly appointed executive employees who are appointed by the Governor and confirmed by the Legislature must file the financial disclosure statement prior to their confirmation and by April 15 of each year of their employment, unless a report for that year has already been filed..

Executive Employees in Major Policy-Influencing Positions

Executive employees in major policy-influencing positions must file the financial disclosure statement by April 15 of each year of their employment.

Leaving Office or Terminating Employment

Constitutional officers and the state auditor and all other executive employees must file a final financial disclosure statement within 45 days of leaving office or terminating employment that covers the calendar year of leaving office or terminating employment.

Updating Statement

An executive employee shall file an updated statement concerning the current calendar year if the income, reportable liabilities or positions of the executive employee or an immediate family member, excluding dependent children, substantially change from those disclosed in the employee's most recent statement. Substantial changes include, but are not limited to:

- a new employer that has paid the employee/immediate family member \$2,000 or more during the current year,
- a source of income that has provided the employee/immediate family member with income that totals \$2,000 or more during the current year, and
- the acceptance of a new position with a for-profit or nonprofit firm or political action or ballot question committee.

The executive employee shall file the updated statement within 30 days of the substantial change in income, reportable liabilities or positions.

INSTRUCTIONS: Part 1. Income from Employment by Another

If you were a full or part time employee of any public or private organization (other than the department, bureau or agency you listed on the previous page) and received compensation during the reporting year of \$2,000 or more, list your job title, and the name, address, and principal type of economic or business activity of the employer. Do not include information about self-employment or the practice of law in this section.

EXAMPLE: Jane is currently serving as Director of the Maine State Archives. She is also employed by Pine Tree Counseling Services as a counselor and earns more than \$2,000 per year.

Name of Employer	Address	Principal Type of Economic or Business Activity of Employer	Job Title
<i>Pine Tree Counseling Services</i>	<i>201 Main Street, Pine Tree City, Maine</i>	<i>Counseling Services</i>	<i>Counselor</i>

INSTRUCTIONS: Part 2. Income from Self-Employment

If you sold goods or provided services to others during the reporting year, list the name, address, and principal type of economic activity of your business. If your business does not have a name, list the name under which you provide goods and/or services. If the amount you received from any client or customer was more than \$2,000 or more than 10% of your gross income from self-employment during the year, whichever is greater, list the name, address, and principal type of economic or business activity of the client or customer. If this type of disclosure is prohibited by law, rule, or an established code of professional ethics, specify only the principal type of economic or business activity of the client or customer.

EXAMPLE: You have a business that supplies rough cut timber. Last year the business grossed \$30,000. Robert Thompson bought four orders of lumber at \$1,000 per order—\$4,000 in total. Jane Hill bought \$2,000 worth of lumber. Because your business made \$30,000 during the reporting period, you must only report those clients who represent more than 10% or \$3,000, of his income from self-employment.

Name of Your Business/Trade name	Address of Business	Principal Type of Economic or Business Activity
<i>Smith's Lumber Co.</i>	<i>123 Main Street, Pine Tree City, Maine</i>	<i>Rough Cut Timber Milling</i>
Name of Customer or Client, if required (see instructions).	Address	Principal Type of Economic or Business Activity of Client
<i>Robert Thompson</i>	<i>456 Main Street, Pine Tree City, Maine</i>	<i>Carpenter</i>

INSTRUCTIONS: Part 3. Revenue of Business Entities

List the name, address and principal economic or business activity of any corporation, partnership, limited liability company or other business entity in which you or the members of your immediate family, own or control, directly or indirectly, more than 50% of the outstanding equity, individually or in the aggregate, if the business had revenue of \$2,000 or more during the calendar year.

EXAMPLE: Your spouse is the sole member of a limited liability company which receives revenue of more than \$2,000 each year by leasing office suites in an office building it owns.

Name of Business	Address	Principal Type of Economic or Business Activity
<i>123 Broad Street LLC</i>	<i>456 Elm Street, Pine Tree City, Maine</i>	<i>Leasing of office space</i>

INSTRUCTIONS: Part 4. Income from the Practice of Law

List the name, address, and major areas of practice for all sources of income of \$2,000 or more derived from the practice of law. If you are a member of a firm, partnership, or limited liability company, list the major areas of practice for that entity. In addition, state whether you are a sole practitioner, partner, associate, or shareholder.

EXAMPLE: Last year, you were a sole practitioner. Your construction law practice earned more than \$2,000 in the reporting year.

Name of Firm or Practice	Address	Your Major Areas of Practice	Firm's Major Areas of Practice	Position: Partner, Associate, Sole Practitioner
<i>The Law Office of John Smith</i>	<i>789 Elm Street, Pine Tree City, Maine</i>	<i>Construction Law</i>	<i>N/A</i>	<i>Sole Practitioner</i>

Part 1. Income from Employment by Another

None. Check this box if you did not have income from employment by another.

Name of Employer	Address	Principal Type of Economic or Business Activity of Employer	Job Title

Part 2. Income from Self-Employment

None. Check this box if you did not have income from self-employment.

Name of Your Business/Trade Name	Address	Principal Type of Economic or Business Activity
Name of Client or Customer, if required (see instructions)	Address	Principal Type of Economic or Business Activity of Client

Part 3. Revenue of Business Entities

None. Check this box if you and your immediate family did not have a majority share in a business.

Name of Business	Address	Principal Type of Economic or Business Activity

Part 4. Income from the Practice of Law

None. Check this box if you did not have income from the practice of law.

Name of Practice or Firm	Address	Your Major Areas of Practice	Firm's Major Areas of Practice	Position: Partner, Associate, Sole Practitioner

INSTRUCTIONS: Part 5. Income from Any Other Source

Include in this section any source of income of \$2,000 or more not listed in Parts 1, 2, or 3 which you received during the reporting year, such as investments, sales of property, or retirement benefits. Please see the glossary for examples of income that must be reported. Include income received “in-kind” as well as regular income.

Income **does not** include alimony, child support or similar support payments, campaign contribution, or gifts or honoraria. Income also does not include funds or other property held in trust for another such as fees that are paid in advance or money to be spent on behalf of a client for a licensing or filing fee.

Do not include income received by immediate family members. Report immediate family members’ income in Parts 6-A & 6-B.

EXAMPLE: Jane has investments in a mutual fund with Global Investment, LLC. The mutual fund pays quarterly dividends to Jane that added up to more than \$2,000 over the course of the reporting year. In addition, Jane receives a monthly pension payment from her prior job as a school teacher.

Name of Source	Address	Type of Income
Global Investment, LLC	One Copley Plaza, Boston, MA	Mutual fund
Maine Public Employees’ Retirement System	46 State House Station, Augusta, Maine	Pension

INSTRUCTIONS: Part 6-A. Compensation Income of Immediate Family Members

List the name, address, and principal type of economic or business activity for each entity from which any member of your immediate family received income of \$2,000 or more in **compensation**. Include all income received through employment by another, self-employment, or the practice of law.

Include the job title **and** name of the **spouse or domestic partner** receiving income. Include the job title of the dependent child receiving income, but **do not** include the dependent child’s name. Instead, write “dependent” in the section for name.

EXAMPLE: Your spouse is an attorney with Smith & Jones. She earned more than \$2,000 in the previous year practicing law. Your dependent daughter worked as a lifeguard during the summer of the previous year, earning more than \$2,000.

Name and Job Title (do not list name of dependent child)	Employer’s Name and Address	Principal Type of Economic or Business Activity of Employer
Jane Smith, Attorney	Smith & Jones, L.L.P. 28 Hollywood Drive, Raymond, Maine	Worker’s Comp., Personal Injury, Probate/ Wills
Dependent, Lifeguard	Pine Tree YMCA 202 Main Street, Pine Tree City, Maine	Fitness

INSTRUCTIONS: Part 6-B. Other Source of Income of Immediate Family Members

List the name, address, and type of income for each source of income not listed in Part 6-A from which any member of your immediate family received \$2,000 or more. Include the name of the spouse or domestic partner receiving income. **Do not** include the name of a dependent child receiving income. Instead, write “dependent” in the section for name.

EXAMPLE: Your oldest daughter was given money to be held in trust until her 16th birthday. Now that she has turned 16, the trust is issuing payments to her. Over the course of the year, the payments add up to more than \$2,000. Your spouse lost his job and is receiving unemployment benefits. Last year, he received more than \$2,000 in benefits.

Name of Spouse or Partner (do not list name of dependent child)	Source’s Name and Address	Type of Income
Dependent	Union Life Insurance Co., One Copley Plaza, Boston, MA	Trust distribution
John Smith	Maine Dept. of Labor	Unemployment Benefits

Part 5. Income from Any Other Source

None. Check this box if you did not have income from any other source.

Name of Source	Address	Type of Income

Part 6-A. Compensation Income of Immediate Family Members

None. Check this box if no members of your immediate family received income of \$2,000 or more from employment or compensation.

Name and Job Title (do not list name of dependent child)	Employer's Name and Address	Principal Type of Economic or Business Activity of Employer

Part 6-B. Other Sources of Income of Immediate Family Members

None. Check this box if no members of your immediate family received income of \$2,000 or more from any other source.

Name of Spouse or Partner (do not list name of dependent child)	Source of Income Name and Address	Type of Income

INSTRUCTIONS: Part 7. Loans and Liabilities

If you received any loan of \$3,000 or more during the reporting year that was not secured by collateral (e.g., mortgage, car loan), list the name, address, and principal type of economic or business activity of the lender. For more information concerning what loans and liabilities must be reported, please see the definition of reportable liability in the glossary.

EXAMPLE: You borrowed \$5,000 from Carl Smith, a friend, to pay for an addition of a deck to your house.

Lender's Name	Lender's Address	Principal Type of Economic or Business Activity of Lender
Carl Smith	201 Main Street, Pine Tree City, Maine	Accountant

INSTRUCTIONS: Part 8. Gifts, Including Travel and Accommodations

List each source from which you received a gift or gifts with a total value of more than \$300 during the reporting year. If a person or organization has spent more than \$300 in the year to finance your travel, meals, or accommodations, their payments are considered a gift which must be reported. See the glossary for goods and services which are **not** considered a gift.

EXAMPLE: You were invited to speak at a conference on utilities regulation held by the U.S. New Energy Association. The association paid your travel and hotel expenses, which were \$800. Because the cost of travel and lodging was more than \$300, it is a gift and must be disclosed.

Source of Gift	Source of Gift
1. U.S. New Energy Association	2.

INSTRUCTIONS: Part 9. Honoraria

List all sources of honoraria you received during the reporting year. "Honoraria" means a payment of money or anything with resale value received for an appearance or speech by you in your official capacity. See the glossary for more information concerning honoraria.

EXAMPLE: You were paid to speak at the national conference on economic development in Maine.

Source of Honoraria	Source of Honoraria
1. National Federation of Independent Business	2.

INSTRUCTIONS: Part 10. Positions in Political Action or Ballot Question Committees

List the name of each political action committee or ballot question committee for which you were the treasurer, a principal officer or fund-raiser, or decision-maker.

EXAMPLE: You were a principal decision-maker in a ballot question committee that is active in a bond referendum.

Name of Committee	Title
1. Improve Maine's Economy PAC	Principal decision-maker
2.	

Part 7. Loans

None. Check this box if you did not have reportable liabilities.

Lender's Name	Lender's Address	Principal Type of Economic or Business Activity of Lender

Part 8. Gifts, Including Travel and Accommodations

None. Check this box if you did not received any gifts.

Source of Gift	Source of Gift
1.	2.
3.	4.

Part 9. Honoraria

None. Check this box if you did not received honoraria.

Source of Honoraria	Source of Honoraria
1.	2.
3.	4.

Part 10. Positions in Political Action or Ballot Question Committees

None. Check this box if you were not a treasurer, officer, decision-maker, or fundraiser of a PAC or BQC.

Name of Committee	Title
1.	
2.	

INSTRUCTIONS: Part 11. Conducting Business with State Agencies

List each State agency, board or commission to which you or an immediate family member or an associated organization rented, leased or sold goods or services for more than \$10,000 during the reporting period. Include the name and relationship to you of the individual conducting business with the agency and a description of the goods or services.

EXAMPLE: Your spouse is the vice-president for operations of a large software developer. Last year, the company received \$250,000 from the Department of Environmental Protection for developing custom software.

Name of Agency	Name of Individual/Organization Selling Goods or Services	Description of Goods or Services
<i>Dept. of Environmental Protection</i>	<i>Acme Technology, Inc.</i>	<i>Custom software application</i>

INSTRUCTIONS: Part 12. Representing Others before State Agencies

If you, or a member of your immediate family, appeared for, represented, or assisted any person or client before a State agency for compensation, list the State agency and the person receiving the compensation for the representation or assistance.

EXAMPLE: Your spouse, an attorney, received \$5,000 for representing a client before the Department of Environmental Protection to appeal of a finding of violation of the client's air emission license.

Name of Agency	Name of Individual Receiving Compensation
<i>Department of Environmental Protection</i>	<i>Jane Smith</i>

INSTRUCTIONS: Part 13. Positions in For-Profit and Non-Profit Organizations

List any for-profit or non-profit corporation, firm, association, limited liability company, partnership or business in which you or a member of your immediate family held any office, trusteeship, directorship, or position of any nature in the reporting year, and indicate whether the position was compensated or uncompensated.

Reportable positions include, but are not limited to:

- Director
- Partner
- Trustee
- Officer of any type
- Member of limited liability company
- President
- Board chair
- Treasurer
- Secretary
- Board member

A clerk of a corporation or a registered agent authorized to receive service of any process, notice or other demand for a business entity is not considered a position with the corporation or business entity.

EXAMPLE:

Organization/Business and Address	Title	Name of Position Holder	Relationship to Executive Employee	Compensated Yes/No
<i>Kennebec Historical Society 107 Winthrop Street Augusta, Maine 04330</i>	<i>Director</i>	<i>John Smith</i>	<input checked="" type="checkbox"/> <i>Self</i> <input type="checkbox"/> <i>Spouse</i> <input type="checkbox"/> <i>Dependent</i>	<i>No</i>
<i>Community Ventures, LLC 2941 Fairview Park Drive Pine Tree City, Maine, 232042</i>	<i>Member</i>	<i>Jane Smith</i>	<input type="checkbox"/> <i>Self</i> <input checked="" type="checkbox"/> <i>Spouse</i> <input type="checkbox"/> <i>Dependent</i>	<i>Yes</i>

Part 11. Conducting Business with State Agencies

None. Check this box if neither you nor your immediate family did business with any State agency.

Name of Agency	Name of Individual/Organization Selling Goods or Services	Description of Good or Services

Part 12. Representing Others before State Agencies

None. Check this box if neither you nor your immediate family represented another before a State agency.

Name of Agency	Name of Individual Receiving Compensation

Part 13. Positions in For-Profit and Non-Profit Organizations

None. Check this box if you and members your immediate family did not hold positions in any for-profit or non-profit organizations.

Organization/Business and Address	Title	Name of Position Holder	Relationship to Executive Em- ployee	Compensated Yes/No
			<input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent	
			<input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent	
			<input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent	

SIGNATURE

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWELDGE IT IS TRUE, CORRECT, AND COMPLETE.

Signature

Date

THE INTENTIONAL FILING OF A FALSE STATEMENT IS A CLASS E CRIME (5 M.R.S.A. § 19(4))

ADDITIONAL INFORMATION

Please provide any additional information in the space below. Indicate the part number for the information you are providing. Use additional pages if necessary.

[illegible]

Glossary

Associated organization means any organization in which an executive employee or a member of the executive employee's immediate family is a managerial employee, director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

Executive employee includes the Governor, Attorney General, Secretary of State, Treasurer of State and State Auditor; and a compensated member of the classified or unclassified service employed by the Executive Branch, who is appointed by the Governor and confirmed by the Legislature, or who serves in a major policy-influencing position, except assistant attorneys general, as set forth in chapter 71.

Gift means anything of value, including forgiveness of an obligation or debt, given to a person without that person providing equal or greater consideration to the giver. Gift does not include:

- (1) Gifts received from a single source during the reporting period with an aggregate value of \$300 or less;
- (2) A bequest or other form of inheritance; and
- (3) A gift received from a relative or from an individual on the basis of a personal friendship as long as that individual is not a registered lobbyist or lobbyist associate under Title 3, section 313, unless the employee has reason to believe that the gift was provided because of the employee's official position and not because of a personal friendship.

Honorarium means a payment of money or anything with a monetary resale value to a person for an appearance or a speech by the person. Honorarium does not include reimbursement for actual and necessary travel expenses for an appearance or speech. Honorarium does not include a payment for an appearance or speech that is unrelated to the person's official capacity or duties.

Immediate family includes your spouse or domestic partner and dependent children.

Income means economic gain to a person from any source, including, but not limited to, compensation for services, including fees, commissions and payments in-kind; gross income derived from business; gross income derived from dealings in property, rents and royalties; gross income from investments including interest, capital gains and dividends; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributions from a partnership or limited liability company; gross income from an interest in an estate or trust; prizes; and grants, but does not include gifts or honoraria. Income received in-kind includes, but is not limited to, the transfer of property and options to buy or lease and stock certificates. Income does not include alimony and separate maintenance payments, child support payments or campaign contributions accepted for state or federal office or funds or other property held in trust for another, including but not limited to fees paid in advance or money to be spent on behalf of a client for payment of a licensing or filing fee.

Managerial employee means an employee of an organization whose position requires substantial control over the organization's decision making, business operations, financial management or contracting and procurement activities. For the purposes of this subsection, financial management does not include tasks that are considered clerical in nature.

Relative means an individual who is related to you or your spouse as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister, and includes your fiancé or fiancée.

Reportable liability means any unsecured loan, except a loan made as a campaign contribution recorded as required by law, of \$3,000 or more received from a person not a relative. Reportable liabilities do not include:

- (1) A credit card liability;
- (2) An educational loan made or guaranteed by a governmental entity, educational institution, or nonprofit organization; or
- (3) A loan made from a state or federally regulated financial institution for business purposes.

Self-employment means that the person qualifies as an independent contractor under Title 39-A, section 102, subsection 13, which states in part, "independent contractor means a person who performs services for another under contract, but who is not under the essential control or superintendence of the person while performing those services."